



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, ११ मार्च, १९८६/२० फाल्गुन, १९०७

हिमाचल प्रदेश सरकार

HIMACHAL PRADESH VIDHAN SABHA SECRETARIAT

NOTIFICATIONS

Shimla-171004, the 10th March, 1986

No. 3-28/79-VS.—In exercise of the powers vested by section 7 of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 (Act No. 8 of 1971), the Speaker, Himachal Pradesh Legislative Assembly, hereby makes the following rules to amend the Himachal Pradesh Legislative Assembly Members (Advance of Loan for purchase of Motor Car), Rules, 1979:—

1. Short title and commencement.—These rules may be called the Himachal Pradesh Legislative Assembly Members (Advance of Loan for purchase of Motor Car) (First Amendment) Rules, 1986.

2. Amendment of rule 5—(a) In rule 5 (1), the words and punctuation “together with interest thereon,” and the word “monthly” occurring in between ‘other’ and ‘dues’ shall be omitted.

(b) At the end of sub-rule (2), the following shall be added:—

"The recovery of interest shall be made from the compensatory allowance and other dues as admissible under the Act to the Member concerned within the maximum period prescribed/permitted for recovery of principal."

3. *Amendment of rule 5A.*—In item (b) of rule 5A, for the words "with each instalment" the following shall be substituted:—

"as per rule 5".

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Shimla-4, the 10th March, 1986

No. 3-27/79-VS.—In exercise of the powers vested by section 7 of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 (Act No. 8 of 1971) the Speaker, Himachal Pradesh Legislative Assembly, hereby makes the following rules to amend the Himachal Pradesh Legislative Assembly Members (Advance of Loan for House Building) Rules, 1979:—

1. *Short title and commencement.*—These rules may be called the Himachal Pradesh Legislative Assembly Members (Advance of Loan for House Building) (First Amendment) Rules, 1986.

2. *Amendment of rule 3.*—(a) The words and punctuation "who has not availed himself of an advance under the Himachal Pradesh Legislative Assembly Members (Advance of Loan for Purchase of Motor Car) Rules, 1979," shall be deleted.

(b) After the words "built up house" and before the words "with a view" the following words shall be added:—

"or for purchase on lease-hold basis of a plot and construction of a residential house thereon, or flat or house".

3. *Amendment of rule 4.*—Rule 4 shall be substituted as under:—

"The maximum amount which may be advanced for the purpose shall not exceed Rs. 1,20,000/- or the actual price or cost of construction, whichever be less:

Provided that when an applicant Member has been sanctioned an advance of loan for purchase of motor car under the relevant rules, then the aggregate amount of both the advances shall not exceed the maximum limit of Rs. 1,20,000/-."

4. *Amendment of rule 5.*—(1) A new item numbered "(iii)" shall be added as under:—

"(iii) for the purchase of plot or a built up flat or house on lease-hold basis through a recognised Housing Co-operative Society or Development Authority;

(a) an amount equal to earnest money at the time of application for registration; and

(b) the rest in instalments as and when the call for deposit is made to the extent of such call—subject, however, to the overall ceiling as prescribed in rule 4."

(2) The existing Note shall be substituted as below:—

"Note 1.—A Member shall furnish a certificate within 18 months of drawal of the first instalment or within such further period not exceeding one year, as the Speaker may, for sufficient cause allow, to the effect that he has completed the construction of the house.

Note 2.—A Member shall furnish another certificate to the effect that the amount drawn has been utilised in full for the purpose for which it has been advanced, soon after the house has been purchased or constructed, according as the case may be."

Amendment of rule 6.—(a) In sub-rule (1) of rule 6 the words and punctuation as below shall be deleted:—

- (i) "together with interest thereon,"
- (ii) "monthly" occurring in between the words "other" and "dues"
- (iii) "keeping in view the remaining period of his term as Member".

(b) At the end of sub-rule (2), the following shall be added:—

"The recovery of interest shall be made from the compensatory allowance and other dues as admissible under the Act to the Member concerned within the maximum period prescribed/permitted for recovery of principal."

Amendment of rule 6A.—In item (b) of rule 6A for the words "along with each instalment", the following shall be substituted:—

"as per rule 6"

Amendment of rule 7.—After the words and figure "in Form-III" the following shall be added:—

"When a plot, or a built up flat or house has to be purchased on lease-hold basis, the member shall execute an agreement in Form II-A binding himself to execute mortgage deed in Form II within the period specified therein".

FORM II-A

AGREEMENT

An agreement made.....day of.....one thousand nine hundred and.....betweenof(hereinafter called the Borrower, which expression shall include his legal representatives and assigns) of the one part and the Government of Himachal Pradesh (hereinafter called the Governor) of the other part.

Whereas the Borrower intends to apply for registration under Shimla Development Authority's Second Self Financing Scheme for residential complex below Bishop Cotton School for purchase on 99 years lease-hold basis of a flat/independent house/plot for an estimated amount of Rs.....

And whereas the Borrower has under the provisions of the Himachal Pradesh Legislative Assembly Members (Advance of Loan for House Building) Rules, 1979 (hereinafter referred to as 'the said Rules' which expression shall when the context so admits include any amendment thereof or addition thereto, for the time being in force) applied to the Speaker for grant of loan to enable him to purchase the aforesaid flat/independent house/plot, and the Governor has agreed to lend the said sum of Rupees.....to the borrower in such number of instalments as the Speaker may by order determine, on the terms and conditions contained in the said rules and those hereinafter contained.

Now it is hereby agreed between the parties hereto that in consideration of the sum of Rupees

paid by the Governor to the Borrower (the receipt of which the Borrower hereby acknowledges) the Borrower hereby agrees:

- (1) to repay the Governor the said amount with interest calculated according to the said rules by monthly deductions from the compensatory allowance and other dues as admissible to him, as provided in the said rules and hereby authorises the Governor to make such deductions; and
- (2) within one month of receipt to utilise in full the amount towards the purchase of the said flat/independent house/plot, and if the actual payment made be less than the loan, to repay the difference to the Governor forthwith; and
- (3) to execute a document mortgaging the said flat/independent house/plot to the Governor as security for the amount lent to the Borrower as aforesaid and interest in the form provided by the said rules; and

It is hereby lastly agreed and declared that if the said flat/independent house/plot has not been purchased and mortgaged within three months from the date of these presents or if the Borrower within that period becomes insolvent or ceases to be a Member of the Assembly or dies, the whole amount of the loan and interest accrued thereon shall immediately become due and payable.

In witness whereof the Borrower has hereunto set his hand this day and year first before written:

Signed by the said

In the presence of:

1.....

2.....

Shimla-171004, the 10th March, 1986

No. 3-73/83-VS.—In exercise of the powers vested in her under section 7 of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971, the Speaker, Himachal Pradesh Legislative Assembly hereby makes the following rules to amend the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Rules, 1971 :—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (First Amendment) Rules, 1986.

(2) These rules shall come into force at once.

2. Amendment of rule 3.—(i) In sub-rule (1) item (b) for the 'seventy-five paise' the words "rupee one" shall be substituted.

Amendment of sub-rule (2) of rule 3.—(ii) Sub-rule (2) of rule 3 shall be amended in the manner indicated below:—

(a) for 'rupees two' the words "rupees two and paise fifty", and

(b) for 'rupee one and paise sixty-five', the words "rupees two" shall be substituted.

Amendment of Note 5 of sub-rule (2).—(iii) For 'rupees two' the words "rupees two and paise fifty" and for 'rupee one and paise sixty-five', the words "rupees two" shall be substituted.

3. *Amendment of rule 4.—In Note 2 for the figures and words '33½ per cent, the figures and words "50 per cent" shall be substituted.*

By order,
V. VERMA,
Secretary.

निर्वाचन विभाग

अधिसूचना

शिमला-171002, 11 मार्च, 1986

संख्या 4-1/86-ई.एल.एन.—हिमाचल प्रदेश नगर निगम अधिनियम, 1979 की धारा 33 में प्रदत्त शक्तियों का प्रयोग करते हुये, राज्यपाल महोदय, हिमाचल प्रदेश, हिमाचल प्रदेश नगर निगम निर्वाचन नियम, 1985 में संहर्ष निम्नलिखित संशोधन करते हैं:—

संशोधन

1. ये नगर नियम निर्वाचन (प्रथम संशोधन) नियम, 1986 कहलायेंगे।
2. यह तुरन्त लागू होंगे।
3. हिमाचल प्रदेश नगर निगम निर्वाचन नियम, 1985 के भाग 5 में नियम 35 के उप-नियम (1) के परन्तुक को लोप किया गया समझा जायेगा।

आदेश से,
अत्तर सिंह
सचिव (निर्वाचन)।

NOTIFICATION

No. 4-1/86-ELN.—In exercise of the powers conferred in him by section 33 of the H. P. Municipal Corporation Act, 1979, the Governor, Himachal Pradesh is pleased to make the following amendment in the Himachal Pradesh Municipal Corporation Election Rules, 1985:—

AMENDMENT

1. These rules may be called the Himachal Pradesh Municipal Corporation Election (1st Amendment) Rules, 1986.
2. These shall come into force at once.
3. In Part-V of the Himachal Pradesh Municipal Corporation Election Rules, 1985, the proviso to sub-rule (1) of rule 35 shall be deemed to be deleted.

By order,
ATTAR SINGH,
Secretary (Elections).

निर्वाचन विभाग

अधिसूचना

शिमला-171002, 11 मार्च, 1986

संख्या 7-7/85 ई. एल. एन.—जैसा कि बिलासपुर जिले की समस्त ग्राम सभाओं की ग्राम पंचायत¹⁸ निर्वाचन हेतु इस विभाग की अधिसूचना संख्या यथोपरिदिनांक 5 सितम्बर, 1985 द्वारा आह्वान किया गया था ।

और जैसा कि विकास खण्ड बिलासपुर (सदर) की ग्राम सभा बामटा के निर्वाचनों पर साधारण निर्वाचनों के अवसर पर हिमाचल प्रदेश उच्च-न्यायालय द्वारा ग्राम सभा बामटा के क्षेत्रों से सम्बन्धित मामला अनिर्णीत होने के कारण रोक लगाई थी तथा निर्धारित अवधि में उक्त ग्राम पंचायत में निर्वाचन नहीं हो सके थे ।

अतः अब हिमाचल प्रदेश पंचायती राज अधिनियम, 1968 की धारा 49 की उप-धारा (1) के अनुसरण में, राज्यपाल महोदय, हिमाचल प्रदेश बिलासपुर जिले के विकास खण्ड बिलासपुर (सदर) की ग्राम सभा बामटा से ग्राम पंचायत के लिये पंच, उपा-प्रधान तथा प्रधान के निर्वाचन के लिये सर्वत्र आह्वान करते हैं । ये निर्वाचन हिमाचल प्रदेश पंचायती राज अधिनियम, 1968 तथा इसके अन्तर्गत बनाये गये नियमों तथा आदेशों के अनुसार 31 मार्च, 1986 से पूर्व सम्पन्न करवाये जायेंगे ।

अतार सिंह,
सचिव (निर्वाचन) ।